

**TIDEWATER REGIONAL  
LOCAL HUMAN RIGHTS COMMITTEE**

**May 8, 2007**

**MINUTES**

**PRESENT**

Christopher Boyd, LHRC Member  
Mary Butler, LHRC Member  
Renee Edwards, LHRC Member  
James Overton, LHRC Member  
Debra Goldstein, CEO, The Pines Treatment Center  
Fran Neaves, Risk Manager, The Pines Treatment Center  
Rhonda Burrell, Human Rights Advocate, The Pines Treatment Center  
Reginald T. Daye, Regional Advocate, DMHMRSAS  
Henry Hopkins, Supervisor, Home Based Supervisor, First Home Care  
Ruth Mawyer, Director of Nursing, Virginia Beach Psychiatric Center  
Tina Parcell, Director of In Home, First Home Care  
Diana Moser-Ward, Clinical Coordinator, The Pines Treatment Center  
Kyle German, Education Coordinator, The Pines Treatment Center  
Geraldine Melton, Director of Nursing, The Pines Treatment Center  
Carolyn Willandt, Associate Administrator, The Pines Treatment Center  
Zelda Hyman, Associate Administrator, The Pines Treatment Center  
Tracy Johnson, Associate Administrator, The Pines Treatment Center  
Amanda Steeves, LHRC Recording Secretary

**ABSENT**

Marge House, LHRC Member  
Beverly Supler, Clinical Coordinator, Alternative Behavioral Services

**I. CALL TO ORDER**

The Local Human Rights Committee meeting was called to order at 8:36 a.m. by Renee Edwards.

**II. REVIEW OF MINUTES**

The minutes for the meeting of January 23, 2007 were reviewed. Mr. Daye recommended corrections be made to the unfinished business section of the minutes, as well as a change in the new business under topic A. Ms. Renee Edwards made a motion to approve the minutes with the stated corrections. Ms. Butler seconded the motion. All members present voted to accept the minutes.

### III. UNFINISHED BUSINESS

Mr. Overton addressed the issue of non-compliance that was brought up at the last meeting. Ms. Goldstein stated that Dr. Lexier and she have met with the judges and it was recommended that suggestions such as community service and restitution be put in a report so the judges will be more aware of what the Pines thinks would be appropriate punishment. Since the meeting, this has not been a problem. There was some discussion about the temporary detention orders in the in City of Portsmouth and the obstacles being faced with that situation.

### IV. NEW BUSINESS

#### A. Topic: BSP Level System

Discussion: Ms. Diana Moser-Ward presented the new BSP Level System that will be introduced on the Brighton Campus. This is a strength based approach that reinforces positive behavior. It will utilize positive reinforcement on a more consistent basis. In continuing with the strength based model, the Wellness Plan will replace the current Relapse Plan. Ms. Butler brought up the question of residents who resist the level transition. Ms. Moser-Ward stated that this obstacle would be discussed with the resident and the clinical team to find out what support can be offered to aid in the level transitions. Mr. Daye voiced his support for the approval of this behavior modification.

Action: Mr. Boyd made the motion to accept the new BSP Level System as presented. Mr. Overton seconded the motion, and all in attendance agreed.

#### B. Topic: Use of Emergency Medication (IM)

Discussion: Ms. Goldstein addressed the committee to request the use of emergency medication on residents under the age 18 if they are out of control and continually in restraints. Discussion progressed where the following questions were addressed: Is this policy in violation of the new Abraham's Law effective July 1, 2007? Why does the Pines need emergency medication when no other residential facility has it? What about allergic reactions? Who will deal with the traumatic effects of being held down and injected? Why aren't the less restrictive options being utilized? How long does the medication last? As a result of the discussion it was decided that the policy goes to the state with the committee's comments for review. The policy should be revised to include the consent of the legal guardian upon admission, an age range for use of procedure, and to put a cap on the number of times used.

Recommendations:

- 1) Defer to the State Human Rights Committee for review
- 2) Include the age range that IM meds will be used on
- 3) Include parent/legal guardian consent upon admission
- 4) Include a cap on the number of times an injection can be given in a 24 hour period

Action: Mr. Boyd motioned the recommended changes be made to the policy and then sent to the State Human Rights Committee to review. Ms. Butler seconded the motion and all members present voted in favor.

C. Topic: Mechanical Restraint Policy

Discussion: Ms. Goldstein reported that PSI asked that the Pines change their method used to transport residents in restraints. There is a need to restrict the movement of a resident while being transported to protect them from injury and falls. The Pines is requesting the approval of the Committee to use a humane blanket that will provide a wrap restraint similar to papoose transport. Ms. Melton showed the Committee what the blanket looks like and demonstrated how it would be used. It will not be a method to transport the resident, but rather as an aid to get them from the floor to the gurney and remain on a protective element until they get to the time-out room. Mr. Daye recommended that the policy state there should be a minimum of 4 people present during use. He also stated there is one other State facility that uses this type of transport with success and stated his recommendation for approval with that number of staff addition.

Action: Ms. Butler made the motion to approval the policy with the changes suggested by Mr. Daye. The motion was seconded by Mr. Boyd. All members present voted in favor of the acceptance.

D. Topic: Camera Policy

Discussion: Ms. Goldstein discussed a heightened focus on safety and security at the Pines Treatment Center. In addition to changing the exclusion criteria to reduce the number of kids that are resistant to treatment, there have been changes made to the physical structure of the building such as hardening the ceilings on the boys units and replacing the locks with tamper resistant locks on all access doors at the Crawford campus. The Pines is requesting the approval of a camera policy that would allow video surveillance to be used in public areas such as lounges, hallways, and the seclusion rooms. This would not be a replacement for staff, but more of an additional tool to help get accurate account of events, and to use for training. Mr. Daye voiced his support for approval stating there was no issue with the cameras because they would not be placed in private areas such as bedrooms or bathrooms.

Action: Mr. Overton made the motion to approve the Camera Policy as written. Mr. Boyd seconded the motion and all present voted in favor.

E. Topic: Variance of Structured Living Protocol (SLP) at the Pines Treatment Center

Discussion: Ms. Goldstein asked the committee to approve the continued use of SLP.

Recommendation: It was recommended by Mr. Daye that the committee support approval of the variance to the time out policy so the Pines is able to continue use of SLP.

Action: Mr. Overton made a motion to recommend the state committee accept the variance to the time out provision regulations policy at the Pines Treatment Center to continue using SLP. The motion was seconded by Mr. Boyd, and all members present voted to accept.

Mr. Daye will be faxed a letter, signed by Ms. Renee Edwards, stating the committee's recommendation for approval to the state.

V. STANDING REPORTS

A. General Information

The Pines: Ms. Goldstein stated that they are seeing positive changes in the reduction in the number of aggressive acts at the Crawford campus. There has been a downward trend overall as well as a decrease in the types of aggressive acts. The staff have been quicker to intervene which helps to prevent injuries. The use of the resident's safety plans, identifying triggers, and proactive supervision are some of the reasons for this decline. The Pines has instituted a career ladder training program that gives monetary increases to staff that attend these trainings and pass a test, as well as being observed for competency in this training area. This helps establish awards being given on competency instead of time on the job. Ms. Goldstein informed the Committee that they will see an increase in the number of incidents at the Kempsville campus. She stated that this is due to a different style of reporting that is being used with the younger children, and does not accurately show an increase in the number of problems. Mr. Overton stated his desire to schedule a tour so he could see the facilities that are discussed during the LHRC meetings. Ms. Goldstein said they would get together after the meeting to discuss a date and time.

VBPC: Ms. Mawyer informed the Committee that the new accordion doors have been put up. There have been no comments or complaints voiced by residents at this time.

Mr. Daye presented the Committee with a Stellar Volunteer Award that was given by the State Board at a recent Volunteer Recognition Luncheon. The Committee agreed that Ms. Edwards will hold the award.

It was announced that the State Human Rights Conference will be held on Friday, September 7, 2007. The location is still being decided between Richmond, Charlottesville, and Stanton.

Mr. Daye also stated the State Board approved the recommended changes to the regulations. They are now in the Governor's office awaiting review. This process may take longer than expected in light of the Virginia Tech tragedy and its impact on the mental health community. Mr. Daye hopes that the new regulations will be in effect by the summer of 2007.

B. Seclusion and Restraint Reports

VBPC: Ms. Mawyer presented the Seclusion and Restraint Report for VBPC. In January there were 7 seclusions, 15 restraints, and 3 physical holds. In February there were 2 seclusions, 15 restraints, and 7 physical holds. March's information will be presented at the next meeting. There were two chemical restraints in February, both on the Child and Adolescent unit.

The Pines: Ms. Goldstein presented the Seclusion and Restraint Report for The Pines. For all three campuses during the reporting period of January, February, and March of 2007, there was a total of 282 physical holds. In the same reporting period there were 95 mechanical restraints, and 43 seclusions. The total number of events for the reporting period was 420.

Crawford Day School: Mr. German reported that the average attendance at Crawford Day School is 18 students. There were 13 physical holds in the month of January. In February there were 11 holds, and in March there were 2.

Oyster Point Academy: Mr. German informed the committee that average attendance at Oyster Point Academy is 28 students, with 6 new admissions from a closed alternative school. In January there were 34 holds; in February, 52 holds; and in March, 45.

C. Reports on Structured Living Protocol

VBPC: Ms. Mawyer reported 9 patients, with 12 episodes of SLP during the reporting period of January, February, and March 2007. There was one episode in January, 6 episodes in February, and 5 in March.

The Pines: Ms. Goldstein stated there were 2 episodes of Structured Living during this reporting period, with one episode occurring in the month of February and one episode occurring in the month of March.

D. Overview of Allegation Reports

First Home Care: Ms. Parcell and Mr. Hopkins stated there were no allegations to report from First Home Care.

VBPC: Ms. Mawyer reported a total of 25 complaints during this reporting period: 11 in December that were not reported at the last meeting; 8 in January, 6 in February and 14 in March.

The Pines: Ms. Neaves stated there were a total of 216 allegations reported to the Office of Human Rights during this reporting period.

VII. CLOSED SESSION

Motion: Mr. Boyd made a motion that the committee go into Executive Session, pursuant to Virginia Code 2-2-3711A(4) for the protection of the privacy of individuals in personal matters not related to public business, namely to review patient information from First Home Care and Virginia Beach Psychiatric Center, pursuant to the regulations.

Action: Second was made by Ms. Butler. All members present voted in favor of the motion.

Reconvened in Open Session: Upon reconvening in Open Session, members of the Tidewater Regional LHRC unanimously certified to the best of their knowledge that only public business matters exempt from statutory open meeting requirements and only public business matters identified in the motion to convene the Executive Session were discussed in accordance to Virginia Code 2-2-3711A(4).

V. NEXT SCHEDULED MEETING

The next regular LHRC meeting is scheduled for Tuesday, August 14, 2007 at 8:30 a.m.

VI. ADJOURNMENT

There being no further business to discuss, Mr. Boyd made the motion to adjourn. Mr. Overton seconded the motion. The meeting was adjourned at 12:27 a.m.

RESPECTFULLY SUBMITTED:

Amanda Steeves  
Recording Secretary

Renee Edwards  
LHRC Member